

**FILED**

DEC 22 2016

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

MAGISTRATE JUDGE JOHN STON

UNITED STATES OF AMERICA

vs.

BRENT SCHROEDER

)

)

)

)

)

**16 CR 50062**

No. \_\_\_\_\_

Violations: Title 18, United States Code,

Section 1027 and Title 26, United States

Code, Section 7202

**COUNT ONE**

The UNITED STATES ATTORNEY charges:

On or about June 14, 2012, in the Northern District of Illinois, Western Division, and elsewhere,

BRENT SCHROEDER,

defendant herein, in a document required by Title I of Employment Retirement Income Security Act of 1974 to be kept as part of records of the Fox Valley Laborers Health and Welfare Fund and the Fox Valley Laborers Pension Fund (collectively "the Funds"), an employee welfare and pension benefit plan, did make false statements and representations of fact, knowing them to be false, that is, defendant submitted and caused to be submitted to such Funds a monthly remittance report for May 2012, which report defendant knew falsely reported the number of hours worked by employees of Schroeder Asphalt Services, on whose behalf Schroeder Asphalt Services was required to make contributions to the Funds, and which defendant knew falsely reported the amount of money owed to such Funds from Schroeder Asphalt Services;

In violation of Title 18, United States Code, Section 1027.

**COUNT TWO**

The UNITED STATES ATTORNEY further charges:

1. At times material to this information:

a. Schroeder Asphalt Services, Inc., was required to make deposits of the payroll taxes to the Internal Revenue Service. Schroeder Asphalt Services was also required to file, following the end of each calendar quarter, an Employer's Quarterly Federal Income Tax Return setting forth the total amount of wages and other compensation subject to withholding, the total amount of income tax withheld, the total amount of social security and Medicare taxes due (often referred to Federal Insurance Contribution Act or "FICA" taxes), and the total tax deposits.

b. As Vice-President of Schroeder Asphalt Services, defendant BRENT SCHROEDER had the corporate responsibility to collect Schroeder Asphalt Service's federal employment taxes on a quarterly basis, including both the employees' and employer's share of FICA taxes on wages of individual employees of Schroeder Asphalt Services.

2. Between January 1, 2012 and April 16, 2012, at Marengo, in the Northern District of Illinois, Western Division, and elsewhere,

BRENT SCHROEDER,

defendant herein, who was required by law to collect FICA taxes from the wages of Schroeder Asphalt Services employees, willfully failed to collect approximately \$2,207.24 in FICA taxes that were due and owing to the United States for the first quarter of 2012;

In violation of Title 26, United States Code, Section 7202.

  
UNITED STATES ATTORNEY